

REMARKS

Claims 2-9, 12, 14-16 and 21-23 are currently pending in this application. Claims 1, 10, 11, 13, 17-20 have been canceled. Claims 2, 5, 6, 12, 14, 15 and 21 have been amended. New claim 23 has been added. No new matter has been added by these amendments or addition, nor do the amendments and addition raise new issues that would require further consideration and/or search. Applicants have carefully reviewed the Office Action and respectfully request reconsideration of the claims in view of the remarks presented below.

Claim Rejections Under 35 U.S.C. §103

Claims 1-6, 8, 10, 11, 14-18, 20 and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,044,295 (Pilz) in view of U.S. Patent No. 5,558,962 (Marincic).

Claims 1, 10, 11, 17, 18 and 20 have been canceled. Claims 2, 5, 6, 14 and 15 have been amended to depend from allowed claim 22. Accordingly, claims 2-6, 8 and 14-16 are believed to be in condition for allowance.

Claim 21 has been amended to recite subject matter similar to allowed claim 22, including holding ventricular and atrial ring electrodes at a voltage equal to that of a right ventricular coil and selectively delivering power from a second power source employing lithium manganese dioxide (LiMnO<sub>2</sub>) to defibrillation shock generation circuitry for generating shocks for ventricular defibrillation. Because claim 21 has been amended to include the subject matter of already examined and allowed claim 22, the amendment does not raise new issues that would require further consideration and/or search. Accordingly, claim 21 is believed to be in condition for allowance.

Claims 7 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pilz in view of Marincic and further in view of U.S. Patent Publication No. 2004/0243183 (Norton). Claim 12 was rejected under 35 U.S.C. §103(a) as being unpatentable over Pilz in view of Marincic and further in view of U.S. Patent No. 4,796,630 (Regna).

Claims 7 and 9 depend from claim 6, which has been amended to depend from allowed claim 22. Claim 12 has been amended to depend from claim 22. Accordingly, claims 7, 9 and 12 are believed to be condition for allowance.

**Allowable Subject Matter**

Claim 22 was allowed. Claim 13 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Claim 13 has been canceled.

**New Claim 23**

Claim 23 is an apparatus claim that recites elements and features corresponding to method claim 22. Claim 23 is believed allowable for the same reasons as claim 22.

**CONCLUSION**

Applicants have made an earnest and bona fide effort to clarify the issues before the Examiner and to place this case in condition for allowance. Therefore, allowance of Applicants' claims 2-9, 12, 14-16 and 21-23 is believed to be in order.

Respectfully submitted,

16 Nov 2006  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
David S. Sarisky  
Attorney for Applicant  
Reg. No. 41,288  
818-493-3369

**CUSTOMER NUMBER: 36802**